

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA

FIFTY-SIX HOPE ROAD MUSIC,)	
LTD., et al.,)	
)	
Plaintiff(s),)	
)	
vs.)	2:08-CV-105-PMP-GWF
)	
A.V.E.L.A., et al.,)	MINUTES OF THE COURT
)	
Defendant(s).)	DATED: <u>January 6, 2011</u>

PRESENT: THE HONORABLE PHILIP M. PRO, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Donna Sherwood RECORDER: Summer Rivera

COUNSEL FOR PLAINTIFF(S): Jill M. Pietrini, Barry E. Mallen,
Timothy J. Ervin

COUNSEL FOR DEFENDANT(S): Byron T. Ball, Douglas D. Winter,
James E. Murphy

PROCEEDINGS: **JURY TRIAL (DAY 3)**

8:55 a.m. Court convenes outside the presence of the jury.

The Court confers with counsel on a note received from one of the jurors.

The Court advises counsel Juror No. 5 had car problems, but will be here momentarily.

The Court and counsel confer on various evidentiary issues.

9:40 a.m. Court reconvenes in the presence of the jury. All parties are present.

DOREEN CRUJEIRAS, having previously been sworn, resumes the stand and testifies further on redirect examination by Ms. Pietrini and recross examination by Mr. Winter, then is excused. **Plaintiffs' Exhibit 626 is marked and admitted in evidence.**

ROHAN MARLEY, called on behalf of the Plaintiffs, is sworn and testifies on direct examination by Ms. Pietrini. **Plaintiffs' Exhibits 381, 385, 386, 449, 466, 468, 478 and 625 are marked and admitted in evidence.**

2:08-CV-105-PMP-GWF

1/6/2011

Page 2

10:45 a.m. Jury admonished and excused.

10:58 a.m. Court reconvenes in the presence of the jury. All parties are present.

ROHAN MARLEY, having previously been sworn, resumes the stand and testifies further on direct examination by Ms. Pietrini, cross examination by Mr. Winter, redirect examination by Ms. Pietrini and recross examination by Mr. Winter, then is excused. **Plaintiffs' Exhibits 27 and 28 are marked and admitted in evidence.**

11:45 a.m. Judy admonished and excused.

The Court and counsel confer on evidentiary issues.

12:10 p.m. Court stands at recess.

1:10 p.m. Court reconvenes in the presence of the jury. All parties are present.

EVELYN DEBORAH JAY, called on behalf of the Plaintiffs, is sworn and testifies on direct examination by Ms. Pietrini and cross examination by Mr. Winter. **Plaintiffs' Exhibit 227 is marked and admitted in evidence.**

2:45 p.m. Jury admonished and excused. Court stands at recess.

2:58 p.m. Court reconvenes in the presence of the jury. All parties are present.

EVELYN DEBORAH JAY, having previously been sworn, resumes the stand and testifies further on cross examination by Mr. Winter, redirect examination by Ms. Pietrini and recross examination by Mr. Winter, then is excused. **Plaintiffs' Exhibit 224 is marked and admitted in evidence.**

Portions of the deposition of JOEL RABINOWITZ are read into the record. Plaintiffs' Exhibits 1-H and 3-H are marked and admitted in evidence.

2:08-CV-105-PMP-GWF
1/6/2011
Page 3

Portions of the deposition of JACOB GOLDSZER are published to the jury. Plaintiffs Exhibits 107, 108, 112 and 113 are marked and admitted in evidence.

IT IS ORDERED the trial is continued to Friday, January 7, 2011, at 9:00 a.m.

5:00 p.m. Jury admonished and excused.

The Court and counsel confer on evidentiary issues.

5:15 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By:

/s/

Donna Sherwood, Deputy Clerk